

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2634 of 2005

Between:

Murthy @ Ravi, S/o Venkatesappa,
Under Trial Prisoner, Sub Jail, Madanapalle, Chittoor District.

..... PETITIONER

AND

1 The State of Andhra Pradesh, Rep. by the Public

Prosecutor, High Court of Andhra Pradesh,

Hyderabad.

2 The Superintendent, Sub-Jail, Madanapalle,

Chittoor District.

3 The Senior Civil Judge -cum- Assistant Sessions

Judge, Punganur, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction, or a writ more particularly one in the nature of writ of Mandamus to call for the records and remarks from the Respondents herein relating to (1) lodging the Petitioner herein, who is Accused No.4 in S.C.No. 280 of 2002 on the file of the Court of the Assistant Sessions Judge Court, Punganur, in Sub-Jail, Madanapalle, without any action, since his production before the Assistant Sessions Judge, Punganur in the year 1997, (2) non-production of Accused No.1 in SC.No. 280 of 2002 on the file of the Court of the Assistant Sessions Judge, Punganur, who is undergoing imprisonment in Central Prison, Bangalore, before the Concerned Court and to pass appropriate orders, directing the concerned authorities to take necessary steps to split up the case against the Petitioner, who is Accused No.4 in Sc.No. 280 of 2002 on the file the Court of the Assistant Sessions Judge, Punganur and dispose of the case by producing the Accused No.4 before the concerned Court whenever necessary and to pass such other or further orders as this Honourable Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:PETITION

Counsel for the Respondent No.: GP FOR HOME

The Court made the following :

ORDER (Per BN,J)

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As per the report of the Assistant Sessions Judge, Punganoor it appears that the applicant Murthy @ Ravi s/o Venkatesappa who is accused No.4 in S.C.No.280/2002, has been in custody from the year 1995. He has been in custody at Bangalore in connection with various crimes and it appears that he was transferred to the judicial custody of the courts in Andhra Pradesh on 19.4.2002. After he was produced on P.T. warrant, from 19.4.2002 till date, no progress has been made in the case pending against him under Section 397 I.P.C. Another accused is not being produced by the Karnataka authorities,

who is also in custody in Karnataka State. In these circumstances, we feel that this is a fit case for grant of bail.

Accordingly we allow this petition and direct the release of the prisoner, namely Murthy @ Ravi S/o Venkatesappa on bail on furnishing personal bond for a sum of Rs.5,000/- (rupees five thousand only) with two sureties of like sum each to the satisfaction of Assistant Sessions Judge, Punganoor. He shall also give an undertaking to appear in the court as and when the case is listed.

BILAL NAZKI,J

L.NARASIMHA REDDY,J

AVS

DATE:21.03.2005

Note:

Communicate the order forthwith.

B/O

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The State of Andhra Pradesh, Rep. by the Public

Prosecutor, High Court of Andhra Pradesh,

Hyderabad.

2 The Superintendent, Sub-Jail, Madanapalle,

Chittoor District.

3 The Senior Civil Judge -cum- Assistant Sessions

Judge, Punganur, Chittoor District.

4. 2 C.Cs to G.P. for Home, High Court of A.P. Buildings (OUT).

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*Form-NIC-OGS/WP{**AVLR**}*